



ELEVATOR SAFETY BOARD MEETING

JANUARY 25, 2006

LOCATION: MISSOURI DIVISION OF FIRE SAFETY, 2401 E MCCARTY ST, JEFFERSON CITY, MO

BOARD MEMEMBERS PRESENT

John McNerney
George Lodes
Suzan Mehalko
Kay Donovan
Gerri Kielhofner
Wilson Winn
J A Marchack

STAFF PRESENT

Larry Watson, Deputy Chief Elevator Safety
Amiee Forck, Elevator Safety Unit
Vincent Daus, State Elevator Inspector
Ron Evans, State Elevator Inspector
Bill Jamison, State Elevator Inspector
Wendy Eiss, State Elevator Inspector

BOARD MEMEBERS ABSENT

Mark James, Dir. of Public Safety
Clarence Foster, Jr.
Tom Corso

VISITORS

Bob Kocher, Otis Elevator
Marty Esser, University of MO- Columbia
Rick Willman, Doubletree Hotel-Chesterfield
Jim Kenney, ThyssenKrupp
Carl Wiseman, ECI
Brad Stevens, IUEC
Chris Zellner, 7232 Sarah- Maplewood

Norvelle Brown, First Christian Church
Richard Jones, University of MO- Columbia
Gary Schuette, Midwest Elevator
Shannon Marley, ThyssenKrupp
Grant Gillard, First Presbyterian Church
Bill Lake, Adair County R-1 School Dist

I. OPEN & WELCOME

Chairman McNerney called the meeting to order at 9:30 AM. Introductions were made by all present.

II. VARIANCE REQUEST DRURY INN- CHESTERFIELD

The location is requesting a variance on the governor not being accessible from other than the car

top of the unit.

Mr. Winn motioned to allow the installation in accordance with ASME A17.1S-2005 supplement. Mr. Marchack seconded the motion. Motion passed unanimously.

III. VARIANCE REQUEST FIRST CHRISTIAN CHURCH OF MARSHALL

The location is requesting variances for inadequate refuge space and pinch point (12 inches) and to allow the bolts in the top of the rails for a mechanical stop.

The consensus of the Board was to table the item for additional information.

IV. VARIANCE REQUEST UMC- HULSTON HALL

The location is requesting a variance to allow the unit to operate without a bottom gate.

Mr. Lodes motioned to grant the variance provided the push button be removed from the car, the key be removed and only allow a stop switch in the car. Mr. Winn seconded the motion. Motion passed unanimously. Mrs. Mehalko abstained from voting.

V. VARIANCE REQUEST DOUBLE TREE HOTEL- CHESTERFIELD

The location is requesting a variance on not installing a "Call Cancel" button for Phase II fire service.

Mrs. Kielhofner motioned to deny the variance. Mr. Lodes seconded the motion. Motion passed unanimously.

VI. VARIANCE REQUEST CIVIL COUITS BUILDING- CLERKS ELEVATOR- ST. LOUIS

The location is requesting a variance to leave abandoned pipes in the hoistway.

Mr. Winn motioned to grant the variance. Mrs. Kielhofner seconded the motion. Motion passed unanimously.

VII. VARIANCE REQUEST CARNAHAN COURTHOUSE- ST. LOUIS

The location is requesting a variance on the machine room ceiling height being less than 7 feet.

Mr. Winn motioned to grant the variance. Mrs. Donovan seconded the motion. Motion passed unanimously.

VIII. VARIANCE REQUEST ST. LOUIS CARDINALS STADIUM

The location is requesting a variance on not installing counterweight safeties in the pit as they are not required. Additional information on this matter was requested during the October 26, 2005 meeting.

Mr. Winn motioned to grant the variance on not installing counterweight safeties, provided the modification indicated in the letter from HOK, Inc dated January 16, 2006 are completed.

IX. VARIANCE REQUEST FIRST PRESBYTERIAN CHURCH OF JACKSON

The location is requesting a variance to allow the existing residential elevator in a commercial application.

Mr. Winn motioned to grant the variance. Mrs. Kielhofner seconded the motion. Motion passed unanimously.

X. VARIANCE REQUEST ADAIR COUNTY R-1 SCHOOL DISTRICT- NOVINGER

The location is requesting a variance on a lift that is not installed in compliance with A18-1 1999. The location would like to remove the operating controls, install a fascia panel between the upper and lower landing, install a stop switch at the lower landing and install a capacity tag for the unit.

After a discussion on the unit the consensus of the Board is to table the item for additional information.

XI. VARIANCE REQUEST SARAH-ANNA APARTMENTS- MAPLEWOOD

The location is requesting a variance on not enclosing the elevator equipment in the machine room.

Mrs. Donovan motioned to deny the variance. Mr. Lodes seconded the motion. Motion passed unanimously.

XII. DISCUSSION ON THYSSENKRUPP KAVILER ROPES

Deputy Chief Watson advised the Board of recent problems with ThyssenKrupp Kevlar ropes. Apparently the ropes have failed on several units. The State of California has issued a cease and desist use of the ThyssenKrupp units until the problem is corrected. Apparently ThyssenKrupp has a solution for the problem, but the resolution has not been determined to be needed in the State of Missouri at this time.

Mr. Koshak representative for ThyssenKrupp commented, "The most recent incidents have occurred in Ohio and North Carolina 6 months or one year which may be too soon for a reaction from those states."

Mr. Wilson commented, "I would like to see a request for information directly from ThyssenKrupp on incidents. If any action would be taken I would want a legal opinion on it."

Mrs. Donovan suggested getting a response from the ThyssenKrupp offices in Missouri to see what action will be taken to correct the units. Request a list of the locations with machine room less units and a time frame to correct the units.

The consensus of the Board is to send a letter to the ThyssenKrupp offices in Missouri requesting information on the resolution to correct the units that have Kevlar ropes.

XIII. VARIANCE REQUEST MONSANTO- ST. LOUIS

The location is requesting a variance to allow other machinery in the equipment room.

Mrs. Donovan motioned to grant the variance. Mr. Marchack seconded the motion. Motion passed unanimously.

XIV. VARIANCE REQUEST SUN ASSOCIATES- PARKWAY TOWER- CLAYTON

The location is requesting a time extension to complete the installation of the car door restrictors.

Mr. Winn motioned to grant the variance until January 2007. Mr. Lodes seconded the motion. Motion passed 6 to 1. Mr. Winn, Mr. Lodes, Mrs. Donovan, Mrs. Kielhofner, Mrs. Mehalko, and Chairman McNerney voted "Yea." Mr. Marchack voted "Nea."

XV. VARIANCE REQUEST DIVERSIFIED CHECMICAL- NORTH KANSAS CITY

The location is requesting a variance to allow the non-working boiler to remain in the machine room.

Mr. Winn motioned to grant the variance. Mr. Marchack seconded the variance. Motion passed 6 to 1. Mr. Winn, Mr. Marchack, Mrs. Donovan, Mrs. Kielhofner, Chairman McNerney and Mrs. Mehalko voted "Yea." Mr. Lodes voted "Nea."

XVI. VARIANCE REQUEST JAMES LINCOLN & ASSOCIATES- SIKESTON

The location is requesting a variance on not adding power assist doors to a handicap lift being installed at 103 Kathleen Building. The lift is replacing an existing unit.

Mrs. Donovan motioned to deny the variance. Mrs. Kielhofner seconded the motion. Motion passed unanimously.

XVII. VARIANCE REQUEST FIRST BAPTIST CHURCH OF LEE'S SUMMIT

The location is requesting a variance for insufficient overhead clearances in the machine room.

Mr. Winn motioned to grant the variance. Mrs. Kielhofner seconded the motion. Motion passed unanimously.

XVIII. KONE- ST. LOUIS MACHINE ROOMLESS ELEVATOR INSTALLATIONS

Kone is requesting variances to install machine roomless elevators at the following locations:

Moon Brother Carriage Lofts	410 N Jefferson LLC
Southside National Bank	Lucas Lofts
Bankers Lofts	

Mrs. Donovan motioned to allow the installation of machine roomless elevators. Mr. Winn seconded the motion. Motion passed unanimously.

XIX. KONE- KANSAS CITY MACHINE ROOMLESS ELEVATOR INSTALLATIONS

Kone is requesting variances to install machine room-less elevators at the following locations:

Independence MOB (2 Units)	Carthage High School	Frisco Building- Springfield
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Mrs. Donovan motioned to allow the installation of machine roomless elevators. Mr. Winn seconded the motion. Motion passed unanimously.

XX. OTIS- BRENTWOOD MACHINE ROOMLESS ELEVATOR INSTALLATIONS

Otis is requesting variances to install machine roomless elevators at the following locations:

BJC Progress West Health Care- O'Fallon

UMSL- Residence Hall- St. Louis

Mrs. Donovan motioned to allow the installed of the machine roomless elevators. Mr. Winn seconded the motion. Motioned passed unanimously.

XXI. REVIEW OF CARL WISEMAN 'S INSPECTION AT RAGLAND MILLS

Mr. Cole advised the Board of a fatality accident that occurred at Ragland Mills on November 7, 2005. Firefighters were called to the scene and one firefighter was killed. The fireman killed got on the Manlift/belt lift as he was using the lift his SCBA gear became hung up on the top level. The opening at the top level was not large enough for him to fit through. These types of devices were exempted in 2002. It is my understanding an inspection was requested to be made. The inspection was conducted April 2005 by Inspector Carl Wiseman. Inspector Bill Jamison assisted NIOSH with the investigation. During this inspection Inspector Jamison discovered items that warranted red tagging of the unit.

Mr. Winn asked, "As of legislation this type of unit is exempt, unless requested to be inspected by the location? The issue now is the thoroughness of the inspection?"

Mr. Cole replied, "Inspector Wiseman is being brought before the Board to determine if action should be taken on Inspector Wiseman's license based on the inspection he conducted in April 2005."

Inspector Jamison advised the Board on December 14, 2005 he red tagged the unit. The opening is supposed to be a minimum of 24 inches. The first floor landing is only 19-1/2 inches from the belt. The openings are to be circular in dimension and have beveled ledges underneath the approaching opening. Beveling is required to prevent someone from getting caught on a ledge. Inspector Jamison red tagged the unit due to no beveling and the openings being too small.

Mr. Marchack asked Inspector Jamison, "Did you notice a flashing light at the top the unit? Inspector Jamison replied, "I did not notice a flashing light at the top of the unit."

Mrs. Donovan asked, "Are beveling of the ledges and opening size the minimums required by code? Inspector Jamison and Deputy Chief Watson replied, "Yes, the code is A90.1."

Mr. Marchack asked, "Since the incident what did the location add before the accident or after the accident?" Inspector Wiseman replied, "I have no idea."

Inspector Wiseman presented his case and photographs to the Board. The photographs were taken on January 6, 2006.

Photo #1- Downside on the bottom landing. Closing gate if you have less than 2 ft. you have to have a gate.

Photo #2- The shape of the openings is generally circular. Mr. Wiseman contacted John Saybo with

Humphrey's Manlift and he is on the Manlift committee for ASME. Mr. Wiseman asked him why this would not be circular. He stated ever since the Jetson's as long as you can get a circular tube it does not have to circular.

Mr. Lodes asked, "Does the cone continue going all the way around?" Inspector Wiseman replied, "Yes."

Mrs. Donovan asked, "It is 24 inches?" Inspector Wiseman replied, "Yes."

Photo #3- First emergency landing does not appear circular but as long as you can acquire the distances it is acceptable.

Mr. Cole asked, "During your inspection in April 2005 did you measure the opening to confirm it is 24 inches?" Inspector Wiseman replied, "No I did not. I did notice the top looked closer than the bottom. You can eyeball that."

Mr. Marchack commented, "According to 4.1.2 all floor opening shall be uniform in size, and circular in shape at each landing."

Mr. Winn commented, "For clarification a landing is not considered a floor."

Mr. Marchack asked, "Did you test the stop switch in April?" Inspector Wiseman replied, "Yes, as you can see the cross-by damper has not been disturbed."

Mr. Carrell asked, "Why is there a weight on the bar?" Inspector Wiseman replied, "I'm not sure. You pull the rope down to stop the belt."

Inspector Wiseman commented, "Mr. Hawkins with Ragland Mills told the fireman not to use the unit. Then told the fireman if they insisted on using the Manlift to hold onto the rope, let it slide through your hand, if you want to stop hold tight and it will stop."

Mrs. Donovan commented, "So third party inspectors do not do just State inspections, only what the customer wants."

Mr. Cole asked, "What type of inspection was requested?" Inspector Wiseman replied, "They wanted to make sure all the safety devices were working per Ira Hawkins."

Mr. Cole commented, "The inspection should not have been put on a State form or turned into our office if it was not a State inspection."

Inspector Wiseman commented, "I really need to get going are you going to make a decision, I have other places to be."

Chairman McNerney commented, "This is very serious decision. We need to discuss this matter. Inspector Wiseman are you in a hurry? Inspector Wiseman replied, "I'm not in a hurry."

Inspector Wiseman commented, "I take the Department very seriously. When the Department was having funding problems I went to a representative for help with more funding. I spoke with Rep. Skaggs. I take the Department very seriously."

Mrs. Donovan commented, "Going back to the intent of the inspection. It was a very bad mistake to use a state form."

Mr. Lodes commented, "The small openings and no beveling is a combination for disaster."

Mr. Winn asked, "Are there any other serious incidents involving Inspector Wiseman?" Deputy Chief Watson replied, "We have conducted quality control inspection and they were satisfactory."

Mr. Carrell asked, "At the top landing is there a roller?" Inspector Wiseman replied, "There are no rollers between the steps. If taking a measurement it would not be there."

Mr. Carrell asked, "Isn't there a roller at the floor?" Mr. Marchack replied, "Not they move with the step."

Mr. Winn asked, "Deputy Chief Watson and Mr. Cole do you have a recommendation for an action in the matter?" Deputy Chief Watson replied, "The Board granted the license. Mr. Winn commented, "Based on review of his qualifications, I'm not suggesting it be your decision."

Mr. Cole commented, "The life safety issues missed that could have removed the unit from service until corrected."

Mr. Winn commented, "Inspection items are missed all the time."

Deputy Chief Watson commented "Yes items are missed but not usually life safety items in a situation where somebody was killed."

Mr. Lodes commented, "Why would Carl not have brought the step to the top landing and measured from the landing the to the belt?"

Mr. Marchack recommended Inspector Wiseman's license be suspended for six months.

Mr. Marchack motioned to suspend Inspector Wiseman's license for six months. Mr. Lodes seconded the motion. Motion passed 4 to 3. Mr. Marchack, Mr. Lodes, Mrs. Kielhofner and Chairman McNerney voted "Yea." Mrs. Mehalko, Mr. Winn, and Mrs. Donovan voted "Nea."

Mr. Lodes commented, "It is gross negligence on Inspector's Wiseman's part."

Chairman McNerney commented, "We are talking from 24 to 19 inches, 5 inches is a lot of distance."

Mrs. Kielhofner commented, "Inspector Wiseman you say you have ridden several manlifts. Did they have cones and 24 inch opening? Carl, is it unusual to see an installation without cones and 24 inch openings?" Chairman McNerney replied, "All the units I have seen in the Kansas City area have cones and 24 inch openings."

Mr. Marchack commented, "Maybe the location is lacking a safety program to instill safe use of the unit. Someone is paying for a safety inspection on a state form and turned in, it would not be for all safety issues."

Mr. Winn asked, "Is revocation permanent or can a person re-apply?" Deputy Chief Watson replied, "I believe they can re-apply."

The Board would like the suspension to take effect immediately.

XXII. INSPECTOR LICENSE RENEWAL

Deputy Chief Watson advised the Board Mr. Marchack's license cannot be renewed at this time because he has not attended the required code update meeting for 2005 per section 11 CSR 40-5.120.

Mr. Marchack advised the Board that at the time the meetings were scheduled he had conflicting Code meetings.

Mr. Winn motioned to suspend Mr. Marchack's license until he is able to make up the required meetings. Mrs. Kielhofner seconded the motion. Motion passed unanimously. Mr. Marchack abstained from voting.

XXIII. INSPECTOR LICENSE APPLICATIONS

The Board reviewed the applications for William Grengross, Linda Atlee, Patrick Buck and Billy Wilson:

Mrs. Mehalko motioned to approve William Grengross' application. Mrs. Donovan seconded the motion. Motion passed unanimously.

Mrs. Donovan motioned to approve Linda Atlee's application. Mr. Winn seconded the motion. Motion passed unanimously.

Mrs. Donovan motioned to approve Patrick Buck's application. Mr. Lodes seconded the motion. Motion passed unanimously.

Mr. Lodes motioned to approve Mr. Wilson's application. Mrs. Donovan seconded the motion. Motion passed unanimously.

XXIV. CHIEF'S REPORT

Deputy Chief Watson reviewed the financial statement.

Deputy Chief Watson advised the Board that we need to dedicate time to review the next edition of the Code we plan to adopt. We need to look at time period to comply for escalators and the replacement of single-bottom jacks. Those are two of the main issues. We would like to look at the next meeting to start reviewing Code.

XXV. SCHEDULE NEXT MEETING

DATE/TIME: March 22, 2006 9:30 AM

**LOCATION: MO Division of Fire Safety
2401 E McCarty St
Jefferson City, MO 65101**